

Appln. No.: 09/828,149
Response/Amendment dated December 20, 2005
Response to Office Action dated September 23, 2005

REMARKS/ARGUMENTS

Claims 19-50 are pending in the application. Claims 1-18 have been canceled. Claims 19-23, 25-32, and 34-50 are rejected. Claims 24 and 33 are objected to. Through this Response and Amendment, Claims 24 and 33 have been amended. No new matter has been introduced into the application. As explained in more detail below, Applicants submit that all claims are in condition for allowance and respectfully request such action.

Claim Amendments

In the Final Office Action dated 09/23/2005, the Examiner indicated that claims 24 and 33 contain allowable subject matter if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Through this amendment, both claims 24 and 33 have been amended as suggested by the Examiner, therefore, the Applicants respectfully request allowance.

Claim Rejections – 35 USC § 103

Claims 19-23, 25-32, and 34-50 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Beck et al. (U.S. Pat. No. 6,604,140) in view of Haartsen et al. (Proceedings of IEEE, Volume 88, Issue 10, Oct. 2000, Pages 1651-1661) and in further view of Lunsford et al. (U.S. Pat. No. 6,901,434).

The Office Action asserts that Beck discloses a wireless communication system wherein individual wireless terminals of a group perform at least one function in addition to performing wireless communication with each other which is common to the individual terminals of the group and performing at least one function which is not common to individual wireless terminals

Appl. No.: 09/828,149
Response/Amendment dated December 20, 2005
Response to Office Action dated September 23, 2005

of the group. (Office Action dated 09/23/05; pages 3 – 4). For the assertion that Beck teaches performing a function that is common to the individual terminals of the group, the Office Action sets forth “the mobile devices can perform the function of advertising services and using services”. The same rejection, however, qualifies the assertion that Beck teaches performing at least one function which is not common to the individual wireless terminals of the group, by stating “the mobile devices (service users) can access other needed services, that said service users do not possess, by communicating with other mobile devices (service advertisers) that have said services via ad hoc network, this means that said service advertisers possess additional functionalities that said service users do not possess.” (Office Action dated 09/23/2005; Page 4).

First, looking to Beck's disclosed embodiments of service users and service advertisers, it is apparent that the limitations of the rejected claims are not met. For example, in one embodiment shown in Figure 1 “Device 2-101 depicts a service advertiser...[which] includes an advertiser 106, that performs the advertising function”. (Col. 3, lines 62 – 66 and Col. 4, lines 37 – 8). Looking, however, to Device 2-121, there is no advertiser, such as advertiser 106. Indeed, Device 2-121 represents a service user which hosts one or more clients that use services on the device. “To discover services, the service user needs to receive service descriptors multicasted over the ad-hoc network by other devices. This function is performed by a listener 127”. (Beck; Col. 4, lines 66 – 7 and Col. 5, lines 1 – 2). Similar to the service user's lack of an advertiser, the service advertiser is devoid of a listener. Therefore, looking to this described embodiment, it would appear to be improper to state that each of the mobile devices “can perform the function of advertising services and using services” as suggested by the Office Action. Alternatively, if only the service advertisers or the service users were said to constitute a group, then the

Appl. No.: 09/828,149
Response/Amendment dated December 20, 2005
Response to Office Action dated September 23, 2005

teachings of Beck cannot be said to teach the other limitations of the claim. These limitations are also not disclosed, taught, or otherwise suggested by Haartsen or Lunsford.

According to another embodiment, the devices may serve as both the advertiser and the user, thereby allowing the devices to advertise services to nearby devices and also discover and use services advertised by nearby devices. (See Beck; Col. 8, lines 49 – 53). Under this embodiment having one or more devices serving as an advertiser and a user, the functions of the collective devices both while in a group and while not in a group is the same. In all cases, the devices may have the functions of advertising services and the ability to discover and use services advertised by nearby devices, thereby having two functions in addition to wireless communication with each other. This is true whether the group consists of some service advertisers and some service users, or if there are some dual function devices (can advertise and use) mixed in the group. In all cases, there are two functions, whether or not the terminals are in a group or not. In contrast, independent claims 19, 27, and 29 specify that when the terminals are in a group, the total number of functions available to be performed by the individual wireless terminals of the group, in addition to performing the wireless communication with each other, is greater than a total number of functions available to be performed by the individual wireless terminals when the individual wireless terminals are not in the group.

Moreover, specifically regarding Lunsford, the Office Action asserts the reference discloses “users of a plurality of wireless terminals deciding to form a group” as recited in the rejected claims. Lunsford, however, discloses an invention for data synchronization between two handheld computers. (Lunsford; Field of the Invention; Col. 1, lines 9 – 10). Indeed, applying Lunsford to Beck and Haartsen would synchronize data among service advertisers or

Appln. No.: 09/828,149
Response/Amendment dated December 20, 2005
Response to Office Action dated September 23, 2005

service users utilizing Bluetooth technology and would not teach, disclose, or suggest the subject matter of the rejected claims, including, for example, the increased functionality.

Therefore, for at least the reasons provided above, the Applicants submit that the art of record does not teach, disclose, or suggest the subject matter of the rejected claims and respectfully request reconsideration and withdrawal of the rejected claims.

CONCLUSION

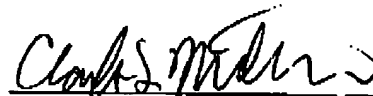
All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: December 20, 2005

By:



Shawn P. Gorman
Reg. No. 56,197

BANNER & WITCOFF, LTD.
10 South Wacker Drive
Suite 3000
Chicago, IL 60606
Tel: (312) 463-5000
Fax: (312) 463-5001